

REMARKS

The Examiner is requiring the election of a single disclosed species of the following:

Species I: figures 3 and 4;

Species II: figures 5 and 8a-d;

Species III: figure 6;

Species IV: figure 7;

Species V: figure 9;

Species VI: figure 10;

Species VII: figure 12; and

Species VIII: figure 13.

Applicants have provisionally elected Species I: figures 3 and 4, with traverse.

Under PCT Rule 13 for international applications, as applied to national stage applications (and continuation applications thereof), the “requirement of unity of invention” is considered fulfilled when there is 1) a special technical relationship among a group of claimed inventions involving one or more of the same or corresponding special technical features, and 2) those technical features define a contribution in which each of the claimed inventions, considered as a whole, makes over the prior art. *See* PCT Rules 13.1 & 13.2; M.P.E.P. § 1893.03(d); 37 CFR. § 1.475. Applicants respectfully traverse the restriction requirement on the grounds that the Examiner has not carried the burden of providing any reasons and/or examples to support any conclusion that the inventions do not fulfill the requirement of unity of invention.

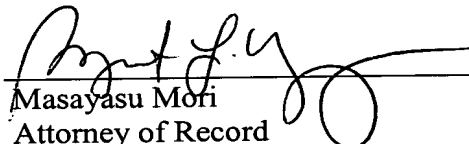
The Examiner merely asserts that Species I-VIII are not so linked as to form a single general inventive concept under PCT Rule 13.1. The Examiner has not discussed any lack of a special technical relationship among the groups of species of the claimed invention. In fact, as acknowledged by the Examiner in the present Office Action at page 3, both claim 6 and

claim 21 at least share the technical features of "a ceramic heater having a ceramic substrate with a conductor." Moreover, the Examiner has not shown or provided any evidence that these technical features, or any other technical features recited in the claims, are not novel or unobvious over the disclosures of any prior art references. Therefore, the Examiner's assertion does not meet the criteria required under the PCT Rules.

Accordingly, Applicants submit that the election of species requirement is improper and that all species should be examined in the present application. Withdrawal of the election of species requirement is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Masayasu Mori  
Attorney of Record  
Registration No. 47,301

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 06/04)

Bryant L. Young  
Registration No. 49,073